## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

PETER JAMES SMITH,	)
Plaintiff,	)
v.	) CASE NO. 2:19-CV-89-WKW ) [WO]
WALMART STORES, INC., and	)
WALMART STORE #05348,	)
	)
Defendants.	)

## **ORDER**

Before the court is the Recommendation of the Magistrate Judge (Doc. # 7) to which Plaintiff filed an objection (Doc. # 8). Based upon a *de novo* review of the record, it is ORDERED as follows:

- (1) Plaintiff's objection (Doc. # 8) is OVERRULED;
- (2) The Magistrate Judge's Recommendation (Doc. # 7) is ADOPTED;
- (3) Plaintiff's motion for leave to proceed *in forma pauperis* (Doc. # 2) is GRANTED; and
- (3) This action is DISMISSED prior to service of process pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(i) and (ii).

Final judgment will be entered separately.

DONE this 12th day of May, 2020.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE